

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

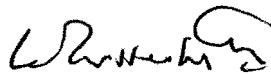
JOHN PAUL WEBER, III,	:	Case No. 3:10-cv-49
Petitioner,	:	
vs.	:	District Judge Walter H. Rice
		Magistrate Judge Michael J. Newman
WARDEN, Warren	:	
Correctional Institution,	:	
Defendant.	:	

ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. 11)

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (doc. 11), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, and for good cause shown upon the Court's *de novo* review, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that Petitioner's petition for a writ of *habeas corpus* under 28 U.S.C. § 2254 is **DISMISSED** with prejudice. Petitioner is **GRANTED** a certificate of appealability on Ground One and leave to proceed *in forma pauperis* on appeal.

April 10, 2012.



Walter H. Rice
United States District Judge